

# Fuller Jury Fails to Agree; Is Discharged

Members Are Said to Have Stood Eight to Four for Conviction on Bucketing Charge; Argue 12 Hours

\$25,000 Bail Continued

Trial Begun on November 6 on Indictment of Firm for Running Bucketshop

The jurors before whom Edward M. Fuller, of E. M. Fuller & Co., the brokerage company which failed for \$5,000,000 last June, was on trial in General Sessions, reported just before midnight last night that they could not agree and were discharged by Judge Johnstone. They are said to have stood eight to four for conviction on the bucketing charge. It was said that Fuller would be brought to trial again promptly. His bail of \$25,000 was continued.

At 9 o'clock the jury asked to have the testimony of John H. Braid, of Braid & Vogel, with whom Braid himself testified, Fuller arranged to send him to the witness stand. Braid never actually made any transactions in, read to them. Later an explanation was asked from Judge Robert F. Johnstone of the term "reasonable doubt." At 10 o'clock the jury went back into secret session.

Judge Johnstone charged the jury yesterday morning. He told them that Braid's testimony was not to be considered that of an accomplice, a point raised by Fuller's attorney, but was to be considered entirely on its merits. As to Albert Viehman, an employee of Fuller & Co., who also was a witness for the prosecution, along with Braid, Judge Johnstone said that in this instance the testimony of an accomplice and should be considered in that light.

The Fuller failure occurred on June 27. Both Fuller and McGee had been in the public prints from time to time and both had been indicted, but not convicted, before. It was the second crash, E. D. Dier & Co. having left \$4,500,000 in liabilities.

Early in the evening of the failure and before the public announcement a procession of clerks, carrying the account books of E. M. Fuller & Co., passed up Broad Street to the offices of Hays, St. John & Moore, their attorneys. The books were impounded in the lawyers' offices, and the receiver, Judge Samuel Strickland, was asked to sign an agreement holding them in violation, save for settling creditors' claims, which he did, according to law. He also refused to permit the District Attorney to gain possession of these books for purposes of investigation thirteen indictments were found upon other evidence. The first one failed to stand up in court, but the second, in which Franklin Link, of Westmoreland, Tenn., was complainant, having sent money to New York to E. M. Fuller & Co. for a trial, the trial began on November 8, after motions for a change of venue had been denied.

**Defense of Newberry in Senate Arouses Borah**

From The Tribune's Washington Bureau  
WASHINGTON, Nov. 22.—The Newberry case was again aired in the Senate to-day, when Senator Spencer, of Missouri, attempted to justify Senator Newberry, bringing forth anti-Newberry speeches from Senators Borah and Harrison.

Senator Spencer spoke in reply to the speech of Senator Harrison yesterday. He said Senator Newberry was not in the state during the primary campaign, but in the naval service, and the \$195,000 for his campaign was raised without his knowledge or aid.

"Fair-minded Senators will come in the future to realize what a grave wrong was done Mr. Newberry," he said.

Senator Borah said it was evident that the campaign money was expended with Newberry's knowledge and consent, and that the statement of Senator Spencer was a reflection on those who voted against Newberry.

Newberry, said Senator Borah, made his great mistake in not resigning after the decision of the Supreme Court of the United States.

Senator Harrison commended Senator Spencer for standing by his friends, and cited the Nat Goldstein case in St. Louis.

# Watch Me! Edwards Tipto All Thirsty Folks

"Just watch me when I get to Washington; just watch me!" said Governor Edwards of New Jersey yesterday, when he was asked whether he intended to introduce legislation aimed to nullify the Volstead act and legalize the sale of light wines and beer, when he takes the place of Senator Frelinghuysen in Washington next March.

The Governor had just returned to his desk in the First National Bank in Jersey City when he was questioned. He is president of the institution, and had been on vacation since Election Day.

# Receiver for Broker Firm Asked by Former Member

L. J. Schnitzer Says He Was Molested and Ousted From Josephthal & Co.

Louis M. Josephthal, member of the New York Stock Exchange and his associates in the brokerage firm of Josephthal & Co., are defendants in a suit filed in the Supreme Court by Louis J. Schnitzer, a former member of the firm, who asks for the appointment of a receiver. Mr. Josephthal, formerly commander of the Naval Militia, was a member of the military staff of Governor Whitman and was chief of the Bureau of Naval Militia.

Mr. Schnitzer charges that the terms of the co-partnership agreement provided that Mr. Josephthal was to contribute \$2,000,000 in cash and the use of his Stock Exchange seat and the plaintiff was to contribute \$800,000 to the funds of the firm. This part of the agreement was carried out, says Mr. Schnitzer.

Mr. Schnitzer complains that subsequently, through improper entries in the books of the firm, it was made to appear that the plaintiff was indebted to the firm and that he was even threatened with prosecution unless he consented to a dissolution of the co-partnership, which he refused to do. Instead of him being indebted to the firm, said Mr. Schnitzer, there is due him a large amount of money and stocks. He says he was ousted from the firm and a new partnership was formed. Mr. Schnitzer, besides asking the appointment of a receiver, wants a referee to take an accounting of the firm, to have its debts paid and the remainder distributed to the persons entitled to receive it.

# Aero Club Ex-President Is Adjudged in Contempt

Henry Woodhouse Accused of Withholding Books and Accounts From Court

Henry Woodhouse, former president of the Aero Club of America, was adjudged in contempt of court yesterday by Justice McCook, of the Supreme Court. He appeared before the justice on an order growing out of the litigation in which he is involved with the Aero Club and a number of its officials.

Mr. Woodhouse, appearing as his own attorney, expressed himself as in doubt as to the reason for his being adjudged in contempt. When he asked for an explanation Justice McCook said: "You are adjudged in contempt of this court in failing to obey its orders in two points. You have been holding out the minute books of the Aero Club of America and certain other documents of the club which you were ordered to turn over to the de facto officers of the club. These minute books and documents you have, under guise of assisting the Department of Justice at Washington, taken out of the jurisdiction of the court and have kept them out of the state."

"On the other point you have refused to account for the money you have received from members of the club," Justice McCook told counsel to prepare the contempt order, adding that Mr. Woodhouse's sentence would depend upon the events of the next few days. The justice intimated that he may make the punishment more than a mere fine. "I would advise Mr. Woodhouse to get his affairs in order," he said.

# New Murder Version Given To Hall Jury

(Continued from page one)

presumably by the people who had left it.

A few feet up Easton Avenue and diagonally across her place is the entrance to De Motta Lane, another one of the red clay lanes that run parallel to De Russes. The first car swung into De Motta Lane to turn left at top speed, going in the direction of New Brunswick. It was followed immediately by the second car, which managed to turn without going into the lane. Both cars would have to pass De Russes Lane on their way into town.

Mrs. Voorhees also insists that toward the latter part of September Mrs. Jane Gibson came to her place to borrow a reaper and they talked about the murder but the "pig woman" did not mention knowing anything about it. Willie Easton, Mrs. Gibson's son, was also over at her place and gave no indication of knowing that his mother had knowledge of the murder, according to Mrs. Voorhees. The new witness's husband is a farmer, widely known in the vicinity. They have one son and one daughter. The latter is a waitress in a New York restaurant.

Aside from the sudden appearance of Mrs. Voorhees, the third day of the grand jury proceedings had more color and liveliness than the preceding days, because of the number of feminine witnesses called—some of them principals in the case. The sudden adjournment with the presentation of evidence only half completed was not anticipated by any of the officials. They expected to hold sessions for three days next week to examine the rest of the witnesses. So far forty have appeared before the grand jury. Eleven were examined the first day, seventeen the second and twelve to-day. Mrs. Gibson, whose appearance is anticipated with interest, will be one of the last witnesses called next week.

It is understood that the three women on the grand jury are taking the keenest interest in the case and do a considerable amount of questioning, especially when a woman is on the stand.

There was a human study in the group of figures that sat around the jury room door this morning waiting for the summons. First of all there were six-year-old Charlotte Mills, a subdued Charlotte, minus her pendant earrings and her drooping feather. She was not in mourning, for she stopped wearing black shortly after her mother's death, but she was girlishly and neatly dressed in a three-piece navy blue suit finished with a Peter Pan collar and peacock blue tie. Her hair was a plain blue felt of the same shade, with wool embroidery, and in place of the flapper stockings with zebra stripes that she has been wearing, she wore plain brown hose with flat-heeled shoes. She carried a tan coat for outside wear.

Three Chat and Laugh

Most of the day she conversed lightly and laughingly with Barbara Tough and Louise Geist, the seamstress and housemaid at the Hall home. Louise, who is pretty, was dressed in a plain black suit with fur neckpiece and a black silk velvet hat. She was reading "Tish," by Mary Roberts Rinehart, when she was not chatting vivaciously with detectives or with Charlotte. Both the maid and seamstress seemed relieved when they were dismissed for the day, as the grand jury did not reach them.

James Mills sat stonily across the hall. His face as white and set as marble, his hands twitching nervously with his hat. He was one of the last witnesses called and was in the jury room for an hour and ten minutes. He and Charlotte, with the maids from the Hall home, walked around the streets eating doughnuts before the grand jury convened in the morning.

Nellie Lo Russell, negro, whose affidavit contradicts Mrs. Gibson's story, was also in the gathering around the doors of the jury room. It is understood that she was there at the request of the grand jury. Nellie was burdened down with newspapers and a wide grin was spreading under her brown and gold cloth hat as she left the jury room and fanned out the courthouse after giving her testimony.

Clifford Hayes and his father waited

# National Grange May Ask U. S. Labor Court

WICHITA, Kan., Nov. 22.—A resolution that a national industrial tribunal be established at Washington in order to prevent the large number of strikes, lock-outs and other disturbances between capital and labor, was introduced at the session of the National Grange here to-day by A. B. Judson, state master of the Grange in Iowa. It was referred to the committee on resolutions.

While no mention was made in the brief resolutions as to what the nature of the proposed court should be, it is generally understood that the Kansas industrial court would be used as a model.

According to Grange officials to-night, it is probable the motion will be acted upon to-morrow.

all day to be called, but were not reached. Clifford, who was once arrested on the false charge of murdering his mother, was warmly greeted by Charlotte Mills. The boy introduced her to his father, Joseph Hayes, Jr., and they chatted together for some time.

**Witnesses Pugnacious.**

All the excitement was not confined to the interior of the courthouse. When Mrs. A. C. Fraley, one of the witnesses, was leaving the building a photographer tried to take her picture. She raised her arm and gave him a punch in the jaw—not a gentle punch either. Sigourney Smith, another witness, threatened to smash a camera and fight, but when a photographer of his own build took up the challenge the bold grave digger changed his mind.

The witnesses were called in this order: Mrs. Voorhees, Mrs. A. C. Fraley, Miss Katherine Fraley, S. Smith, Harry McCabe, Norman C. Tingle, George Sipel, Theodore Nothe, Michael Reagan, Nellie Russell, Charlotte Mills and James Mills.

Mrs. Fraley, Katherine Fraley and Sigourney Smith all live in the Fraley house, which overlooks the Phillips farm. They are witnesses who say they heard shots on September 14, the night of the murder. Their examination was brief. They were followed by Harry McCabe, the lock tender of the Delaware and Raritan Canal at the landing bridge, who told of hearing screams about 10 o'clock on the night of the murder. According to his story, the first came from the direction of Buckleuch Park. Five minutes later he heard more which seemed to come from De Russes Lane.

Tingle, the man who was sitting with his wife on the front porch the night of the crime and saw a shooting star which led his wife to declare "That means death" was called. He is understood to have testified that shortly after they heard shots and his wife remarked that, as the star forebode some one was being killed. Illness prevented Mrs. Tingle from coming to corroborate this testimony.

Sipel told a story which tended to back up Nellie Russell's story about the "pig woman." She was out riding on her mule and seeing strange sights. He was followed by Nothe, an agent of the Society for the Prevention of Cruelty to Animals, who corroborated his testimony about the negro not being at her home on the night of the murder.

The first witness of the afternoon was Captain Michael Reagan, of the local fire department. Willie Stevens, brother of Mrs. Hall, is understood to have said to him on the day after the murder and before the bodies were found, that "something is going to pop at our house—something terrible has happened."

Charlotte Mills then went on the stand for half an hour. She emerged buoyant as ever, and sat down again between Barbara Tough and Louise Geist, laughing with them over what had happened in the grand jury room. Florence North, her almost constant companion since the crime, was not with her.

Mills, who followed his daughter, went in and came out in a very different frame of mind. He had a hang-

dog air and such dejection that he was noticeable among all the witnesses. He was a trifle brighter on coming out than when he entered the jury room.

Schneider, who has pleaded not guilty to two indictments charging him with perjury and with a serious offense against Pearl Bahmer, will be brought to trial in the County Court before Judge Daly on December 5. Pearl Bahmer, who was with Schneider when they came on the bodies of Mrs. Mills and Dr. Hall, will be a witness against him. He will be tried first on the perjury indictment.

Mrs. Helen Randall Booram, the widow of a former prosecutor, wrote to-day to the New Brunswick paper, referring to the list of seventy-six women supporting Mrs. Hall, as follows: "I regret exceedingly that I did not know of it in time to add my name to the list. I have known Mrs. Hall from our early childhood and am absolutely and unalterably convinced of her entire innocence in thought, word and deed concerning this matter."

"Without fear of contradiction I will venture the assertion that any one who has known Mrs. Hall for even half the number of years our friendship has continued will unhesitatingly indorse my trust in her, my conviction of her innocence."

# Rockefeller Jr. Insists On Changed Labor Conditions

CHATTANOOGA, Tenn., Nov. 22.—John D. Rockefeller Jr., in a letter to the editor of "The Chattanooga News," says no matter how difficult conditions of labor employment must be changed. "I agree with you," the letter asserts, "that no matter how difficult it may be to abolish objectionable methods that have long prevailed, it can be done. It should be done, and must be done. Public opinion should be educated until it should become irresistible."

The letter was in reply to an editorial in the newspaper on Mr. Rockefeller's statement condemning the twelve-hour day in the steel industry.

# Sturges Collection of Americana Nets \$19,243

J. F. Drake Buys "Wisconsin Verse" and Whittier's "Moll Pitcher"

The Anderson Galleries completed yesterday the sale of Part I of the library of Americana literature belonging to the estate of Henry Cady Sturges, of New York City. A total of \$19,243 was received for it.

James F. Drake bought the Legler collection of Wisconsin verse, which was acquired intact by Mr. Sturges. This lot, which brought \$750, consisted of 117 volumes and forty-four pamphlets by Wisconsin versifiers from 1849 on. Both in English and German the books comprised many writings of the men who came as exiles to the Badger State. Among them was the German, Siller, whose translation of "Evangeline" Longfellow considered the best in the German language.

Mr. Drake also acquired for \$165 the rare first edition copy of Whittier's "Moll Pitcher." The Rosenbach Company paid \$155 and \$150, respectively, for John Trumbull's "An Elegy" and Phillis Wheatley's "An Ode of Verses on the Much Lamented Death of Rev. Mr. George Whitfield."

# Dickens's First Editions Yield \$7,372 at Sale

"Pickwick Papers" and Other Volumes in Dr. Tenney's Library Are Dispersed

The library of Dr. Dudley Tenney, of New York City, comprising a notable collection of Dickens's first editions, illustrated by famous Victorian artists, was sold for \$7,372, at auction last night at the American Art Gallery.

The original American issue of "The Pickwick Papers," with fifty-two illustrations by Seymour, Buss, "Phiz" and "Alfred Crowquill," one of two complete sets in the parts, was sold to E. R. Gee for \$675.

The fine extra-illustrated collection of Dickens's writings, including twenty-six first editions, ten of which are bound from the original parts and including forty-six volumes in all, went to R. Glendenning for \$380. One of three only copies of the first reprint of the author's "Is She His Wife?" a comic "burlesque in one act," was the unusual item for which E. R. Gee paid \$850. Gabriel Wells bought an extra-illustrated copy of Jerrold's "The Life of George Cruikshank," with 200 plates by the latter, paying \$270; and the same sum was given by H. L. Marks for a first edition of Pickwick in original parts with forty-three illustrations.

The Conte Rosso, of the Lloyd Sabauds Steamship Company, which was due in this port from Naples next Sunday, has reduced her speed, it was announced yesterday at the offices of the line, so that she will reach Quarantine about daybreak on December 1. This is due to the fact that the contingent of immigrants that she carries cannot land here this month, as the November quota of Italians for entry into this country has been exhausted.

The Conte Rosso left Naples November 17 with 1,450 passengers, 800 of whom are in the steerage. Other Italian vessels on their way to this port with local passengers will be notified by the local agents to slow down so as to get here not before daybreak of the first of the month. Some of the vessels may anchor outside the three-mile limit as they have done in the past, awaiting the time limit.

# Cuts Speed to Land Aliens

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THE KEY TO HEALTH

Have you found THE KEY TO HEALTH?

See Page 4

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**WARM WRAPS WITH FUR FOR WINTER WEATHER**

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The richness and luxury of fur, the charm and protection of soft velvety fabrics, the successful fashions of the season . . . . .

**FURS: Beaver or Squirrel**

Genuine furs made into large collars.

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**Franklin Simon & Co.**

A Store of Individual Shops

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**TODAY**

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Caracul fur in large collars, deep cuffs and smart sleeve panels distinguish this as one of the most fashionable winter wrap models. . . . .

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